



United States Government

NATIONAL LABOR RELATIONS BOARD
1015 HALF STREET, SE
WASHINGTON DC 20570

January 30, 2018

William R. Finizio
DeCotiis, FitzPatrick, Cole & Giblin, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard, Suite 31
Teaneck, NJ 07666

Re: Covanta Essex Co.
Case 22-RD-199469

Dear Mr. Finizio:

This letter acknowledges receipt of the Union's Opposition to the Employer's Request for Review of the Action of the Regional Director Dismissing the Petition and Motion for Expedited Consideration, filed on January 26, 2018.

Oppositions to requests for review were due in this matter on January 5, 2018. The Union neither filed an opposition by that due date nor requested an extension of time to file such opposition. Accordingly, the opposition is untimely, and will not be forwarded to the Board for consideration.

Section 102.2(d) of the Board's Rules and Regulations allows for parties to file documents within a reasonable time after the due date only upon good cause shown based on excusable neglect and when no undue prejudice would result. "A party seeking to file such documents beyond the time prescribed by these Rules must file, along with the document, a motion that states the grounds relied on for requesting permission to file untimely. The specific facts relied on to support the motion must be set forth in affidavit form and sworn to by individuals with personal knowledge of the facts." In order for the Board to consider the Union's untimely filed opposition, you must follow the prescribed method outlined in Section 102.2(d), which requires a sworn affidavit by individuals with personal knowledge of the facts.

Very truly yours,

/s/ Farah Z. Qureshi
Associate Executive Secretary

cc: Parties